

Article - Environment

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§9-679.

(a) In accordance with the rules and regulations that the Dorchester County Commissioners approve:

(1) The Sanitary Commission shall make benefit assessments on the property in a shared facility area in an amount that is enough to:

(i) Pay the principal and interest on each bond issued and any other obligation incurred by the Sanitary Commission in constructing the shared facility; and

(ii) Pay any other costs incurred in building the shared facility; and

(2) The Sanitary Commission may establish reasonable charges on each parcel in the shared facility area.

(b) (1) The Sanitary Commission shall give to the owner of each parcel in the shared facility area written notice of:

(i) The class and subclass of the parcel;

(ii) The benefit assessment for the parcel; and

(iii) The time and place of the hearing to which the owner is entitled under this section.

(2) The Sanitary Commission shall mail the notice to the owner at the last known address of the owner on the Dorchester County tax assessment records.

(c) The Sanitary Commission shall give each property owner an opportunity for a hearing before the Sanitary Commission.

(d) After the hearing, the Sanitary Commission may adjust the classification or benefit assessment as appropriate.

(e) The Sanitary Commission shall make the levy of each benefit assessment the Sanitary Commission determines under this section so that the levy

is effective for the July 1 that follows the first March 31 that occurs on or after the date:

- (1) Construction is completed on the shared facility; or
- (2) The shared facility is acquired.

(f) While unpaid, benefit assessments and other charges are a lien on the parcel for which made.

(g) The lien granted by this subsection is subordinate only to State taxes and municipal taxes.

(h) (1) As to each lien that arises against a parcel in the shared facility area, the Sanitary Commission shall keep a public record that:

- (i) Identifies the owners of the parcel;
- (ii) Describes the parcel and gives any lot number of record that applies to the parcel; and
- (iii) Shows the amount of the lien.

(2) The Sanitary Commission shall file the record of liens with the Clerk of the Circuit Court for Dorchester County, for filing among the land records for Dorchester County.

(3) The record of liens shall be legal notice of all existing liens in the shared facility area.

(i) (1) To enforce the collection of unpaid benefit assessments or other charges that are at least 60 days overdue, the Sanitary Commission, at any time, may:

(i) Sue any person who was an owner of record of the parcel at any time since the benefit assessment was last paid; or

(ii) File a bill in equity to enforce a lien through a decree of sale of property against any person who was an owner of record of the parcel at any time since the benefit assessment was last paid.

(2) When recorded, the lien shall be legal notice to any person who has any interest in a parcel.

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